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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 001471

SIPDIS

DEPARTMENT FOR SA, SA/INS, DRL/IRF

E.O. 12958: DECL: 08-22-13

TAGS: [PGOV](#) [PHUM](#) [SOCI](#) [CE](#)

SUBJECT: GSL reviewing proposed anti-conversion bill as Supreme Court reiterates Buddhism's "foremost" place

Refs: (A) Colombo-SA/INS 08/22/03 class e-mail
- (B) Colombo-SA/INS 08/19/03 class e-mail
- (C) Colombo 1466, and previous

(U) Classified by James F. Entwistle, Charge'
d'Affaires. Reasons 1.5 (b,d).

1. (C) SUMMARY: In a recent development on the religious freedom front, a draft bill prohibiting the conversion of Hindus is being reviewed by the GSL. In addition, the Sri Lankan Supreme Court has re-affirmed Buddhism's "foremost" place in society and ruled that the propagation of other faiths can be curbed. There has been no public outcry as of yet, but Christians and others are quietly worried by the trend toward restricting types of religious activity. END SUMMARY.

2. (SBU) PROPOSED ANTI-CONVERSION BILL: In a recent development on the religious freedom front, the Sri Lankan Ministry of Hindu Religious Affairs has drafted a bill, which is entitled "Prohibition of Forcible and Unethical Proselytisms or Conversions of Religions," prohibiting the conversion of Hindus. Proposed prohibitions mentioned in the bill extend to the use of related outreach-type material or media and "allurements" of the gift or material benefit kind or "fraudulent" inducements. Penalties for infringement of the proposed law would be "not more than five years imprisonment" and/or "a fine not exceeding 300,000 Rupees" (about USD 3,000).

3. (SBU) The proposed bill was drafted in the early part of 2003 and submitted to the Cabinet for comment. The Cabinet referred the proposed bill to the Attorney General's office, where it is still being reviewed. There is no indication if or when the draft might be presented to Parliament for a vote. Copies of the draft bill have not been made public. Mission, however, has obtained a copy, which is contained in Ref (A).

4. (C) The precise genesis of the draft bill is not clear. Contacts have told us, however, that the Hindu clergy is worried that Catholic and evangelical Christian groups are converting their flock. These concerns reportedly spurred the Minister of Hindu Religious Affairs T. Maheswaran to propose the bill.

5. (SBU) SUPREME COURT RULING: In another religious freedom-related development, Sri Lanka's Supreme Court has struck down an effort to officially incorporate a Catholic organization. A July 25 ruling by a three-justice bench of the court stated that the Sri Lankan Constitution only allows for an individual to observe and practice a religion, but does not protect the right to propagate. The ruling claims to guard against forced conversion, and more crucially protect the "foremost" place of Buddhism in Sri Lanka society as enshrined in the Constitution. The court found that the planned activities of the organization in question violated these provisos. In making the ruling, the court was essentially reiterating previous rulings guaranteeing the "foremost" place of Buddhism, though its comments regarding propagation of other faiths were somewhat stronger than past rulings. The ruling, which is also contained in Ref (A), received only limited local press coverage.

6. (C) COMMENT: In general, although Buddhism is given some preferences by the government, Sri Lanka has had a solid religious freedom record. (Note: Sri Lanka is a religious amalgam, with roughly 70 percent of the population Buddhist, 15 percent Hindu, 8 percent Christian, and 7 percent Muslim.) Representatives of Christian organizations and other contacts, however, have expressed private concerns to Mission about the recent trend toward restricting types of religious activity, as exemplified by the proposed bill and the court's ruling. That said, there has been no public outcry as of yet, although the concerns are beginning to percolate to the surface. The situation needs to be carefully watched to ensure that religion does not become an irritant that compounds the country's endemic

ethnic tensions. END COMMENT.

17. (U) Minimize considered.
ENTWISTLE